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September 29, 2020

MEMO ENDORSED

By ECF

Honorable Colleen McMahon
Chief Judge
Southern District of New York
500 Pearl Street, Rm. 2550
New York, New York 10007

Re: J.T. et al. v. Bill de Blasio et al.
20 CV 5878 (CM)

OJ

Colleen McMahon

9/30/2020

Dear Chief Judge McMahon:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York and am one of the attorneys assigned to represent Mayor Bill de Blasio, Chancellor Richard Carranza, and The New York City Department of Education (collectively, the “NYC Defendants”) in the above-referenced matter. For the reasons explained below, I write to respectfully request that the deadline for my office to file a Reply Memorandum of Law in Further Support of the NYC Defendants’ Motion to Dismiss the Complaint be extended by two (2) days, until Friday, October 2, 2020.

The NYC Defendants’ filed a Motion to Dismiss Plaintiffs’ Complaint on September 18, 2020. Plaintiffs filed Opposition to the NYC Defendants’ Motion on September 25, 2020. Pursuant to Your Honor’s Individual Practices, the NYC Defendants’ reply is currently due tomorrow, September 30, 2020. However, due to the fact that (1) the three (3) days immediately following the filing of Plaintiffs’ Opposition consisted of a weekend and a religious holiday; (2) two of the principal attorneys handling this matter were observing that holiday yesterday; and (3) some of the arguments raised in the Plaintiffs’ Opposition should be addressed for the Court to have a complete briefing on these issues, the NYC Defendants respectfully request a two (2) day extension of time to file their reply, until Friday, October 2, 2020.

I requested Plaintiffs' consent to this request today by email. Plaintiffs' counsel, Peter Albert, Esq., responded to my request by letter, attached as Exhibit A. In brief, Plaintiffs do not consent to this request. The requested extension, if granted, would not affect any other scheduled dates.

I apologize for the last-minute nature of this request, but respectfully submit that under the circumstances, it was not feasible to make this application earlier than today.

Thank you for your consideration of this request.

Respectfully yours,

/s/MGT
Mark G. Toews
Assistant Corporation Counsel